

Message Text

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PAGE 01 GUATEM 05755 171756Z

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ACTION SS-25

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FM AMEMBASSY GUATEMALA

TO SECSTATE WASHDC IMMEDIATE 8592

C O N F I D E N T I A L GUATEMALA 5755

EXDIS

FOR ASSISTANT SECRETARY ROGERS

EO 11652: GDS

TAGS: PBOR, GT, BH, UK

SUBJ: BELIZE: POSSIBLE REFERRAL TO THE ICJ

1. IN CONVERSATION WITH FOREIGN MINISTER MOLINA
OCT 16, I ALLUDED TO EARLIER STATEMENTS BY
THE FOREIGN MINISTER THAT GUATEMALA WOULD BE
PREPARED TO REFER THE BELIZE PROBLEM TO THE
INTERNATIONAL COURT OF JUSTICE ON THE BASIS OF LAW
AND EQUITY AND WOULD ACCEPT AS BINDING A DECISION OF
THE COURT. THE FOREIGN MINISTER SAID THIS IS STILL
GUATEMALA'S WISH. HE DID NOT THINK GUATEMALA HAD
MUCH CHANCE OF A DECISION IN ITS FAVOR BUT "OFF THE
RECORD" REFERRAL OF THE BELIZE DISPUTE TO THE ICJ
WOULD BE "A WAY OUT" FOR GUATEMALA. AN UNFAVORABLE
DECISION COULD BE ACCEPTED BY GUATEMALA AS COMING
FROM AN INTERNATIONAL JURIDICAL BODY AND COULD BE
PRESENTED AS DISCHARGING THE CONSTITUTIONAL RESPON-
SIBILITIES OF THE GOVERNMENT REGARDING BELIZE.

2. I AM CONCERNED THAT GUATEMALA AND THE UK APPEAR
TO BE ON A COLLISION COURSE OVER BELIZE. I HAVE NO
CONFIDENCE THAT ANY KIND OF A RESOLUTION WHICH MAY
EMERGE FROM THE UNGA WILL BE CONSIDERED ANYTHING
OTHER THAN FRUSTRATING AND AN AFFRONT BY GUATEMALA.
IT IS AFTER ALL GUATEMALA IN ITS EMOTIONAL STATE WHICH
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PAGE 02 GUATEM 05755 171756Z

WILL DECIDE WHETHER SUCH A RESOLUTION IS "MODERATE"

OR "HUMILIATING" NOT THE BRITISH NOR THE BELIZEANS
NOR EVEN OURSELVES. I AM CONVINCED THAT THE GUATE-
MALAN DETERMINATION TO USE FORCE AS A LAST RESORT
MUST NOT BE DISCOUNTED NOR TAKEN LIGHTLY.

3. IN THE FOREIGN MINISTER'S REPEATED STATEMENT OF
WILLINGNESS TO SUBMIT THE BELIZE PROBLEM TO THE ICJ,
AND THE REASONS HE GAVE ME "OFF THE RECORD" FOR
DOING SO, I SEE OUR BEST HOPE UNDER PRESENT CIR-
CUMSTANCES OF AVERTING A DANGEROUS AND POTENTIALLY
DISASTROUS CONFRONTATION OVER BELIZE. A POSSIBLE
ALTERNATIVE COULD PERHAPS BE REFERRAL TO THE
PERMANENT COURT OF ARBITRATION (GUATEMALA 5700),
ALTHOUGH I HAVE NOT SOUNDED OUT THE GUATEMALANS
ON THIS.

4. I HAVE NOTED YOUR SUPPORT FOR THE POSSIBLE
REFERRAL OF THE BELIZE PROBLEM TO THE ICJ. I HOPE
THAT THE MERITS OF THIS LINE OF ACTION CAN CONTINUE
TO BE PRESSED UPON THE UK.
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